

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 2:21-cr-00067-JAW
)	
ANDREW HAZELTON)	
)	

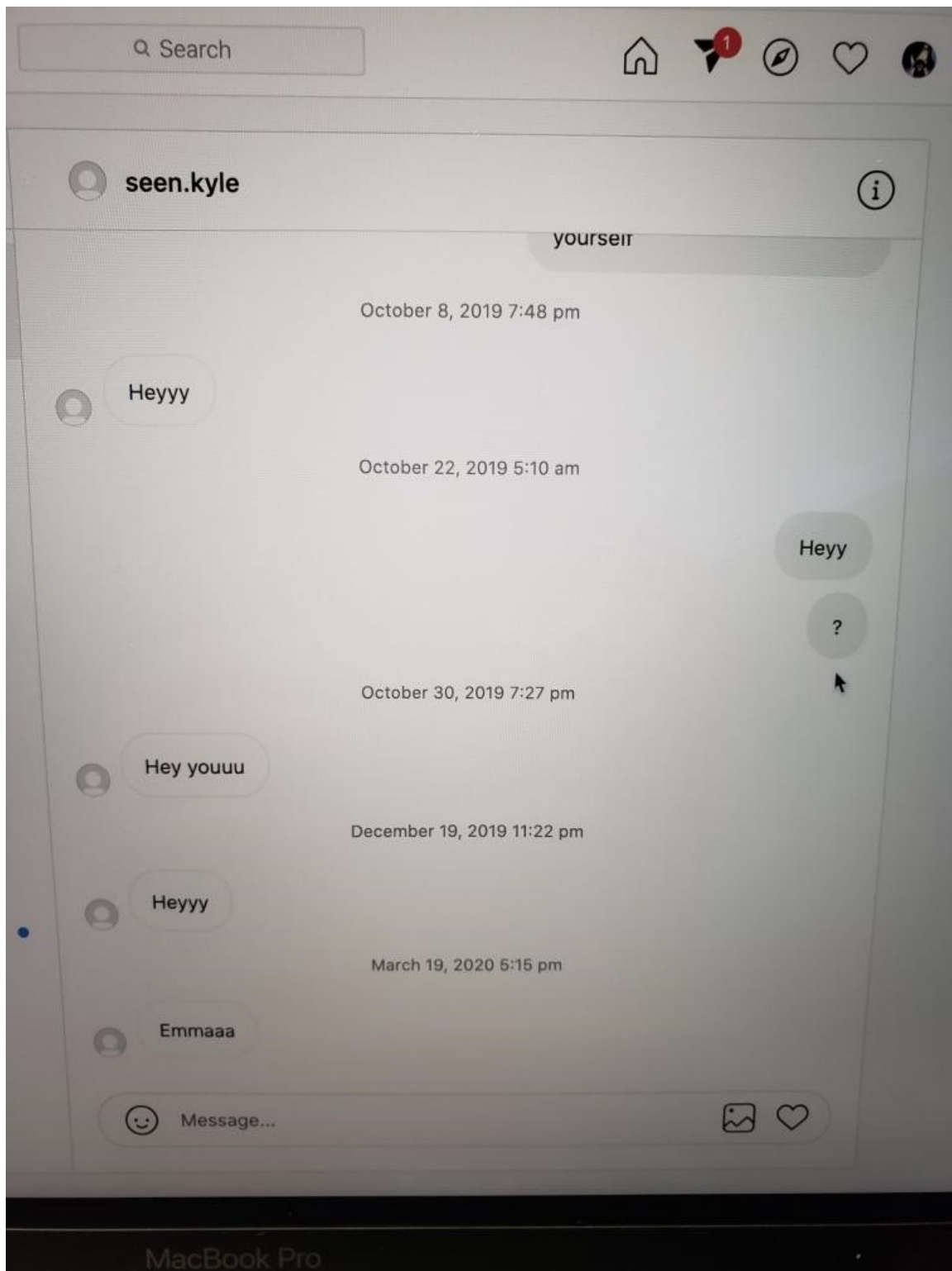
**GOVERNMENT’S RESPONSE TO DEFENDANT’S
MOTION FOR RELEASE ON CONDITIONS PENDING TRIAL**

The United States of America, by and through Acting United States Attorney Donald E. Clark, and Assistant United States Attorney Craig M. Wolff, respectfully responds to the motion for release pending trial filed by the Defendant, Andrew Hazelton.

At the detention hearing in this case, the government presented evidence of Hazelton’s online chats with a 10-year-old girl. During the chats, Hazelton requested explicit photographs from the girl and even told her he wanted to have sex with her. The chat ceased only when the girl’s mother discovered the exchange and told Hazelton to cease contact with the girl. In part because of this activity, the Court concluded that the government had proved by clear and convincing evidence that no combination of conditions of release would reasonably assure the safety of any other person and the community. *See* Order of Detention Pending Trial at 1 (ECF No. 14).

The government’s investigation of Hazelton’s activity has continued. Investigators recently were able to access the Instagram account of the 10-year-old girl. The account’s chat content showed that between October 2019 and March 2020,

the girl was repeatedly contacted by another Instagram user with the vanity name “seen.kyle,” as evidenced by the following screenshot:



Information provided by Facebook, the owner of Instagram, showed that the vanity name “seen.kyle” was associated with the hazelman93 Instagram account.¹

This information shows that even after the girl’s mother caught Hazelton chatting with the girl, he attempted to contact her on several additional occasions over the next five months. His unwillingness or inability to cease this troubling behavior further highlights the danger that he poses to others and the community.

At the same time, the government believes that the new release plan Hazelton proposes may adequately address this danger, if further augmented. Perhaps most important, the Court must assess whether Hazelton’s father is willing and able to serve as a third-party custodian. This will require the Court to satisfy itself that Hazelton’s father will notify the court immediately if Hazelton violates a condition of release.

If Hazelton’s father is deemed to be an adequate custodian, the government submits that some additional changes will also need to be made to the proposed release plan. Instead of home detention, the government submits that the Court should order home incarceration, restricting Hazelton to the proposed residence 24 hours per day except for medical necessities, court appearances and other activities specifically approved by the court. The government also recommends that Hazelton be required to participate in the Computer and Internet Monitoring Program, and that he be

¹ “Seen Kyle” is a homophone of the German term, “Sieg Heil.” It is also an internet meme that originated with a photo of a group of men performing a Nazi salute, with the caption, “Has anyone seen Kyle? He’s about this tall.” *See looking for Kyle*, Urban Dictionary, <https://www.urbandictionary.com/define.php?term=looking%20for%20Kyle&=true&defid=4891388> (last visited May 28, 2021).

prohibited from using or possessing any internet-capable device without prior approval by his supervising officer.

The government requests that a hearing be scheduled at which the Court can assess the suitability of Hazelton's father to serve as a third-party custodian, and consider the other aspects of the proposed release plan.

Dated in Portland, Maine this 28th day of May, 2021.

Respectfully submitted,

DONALD E. CLARK
ACTING UNITED STATES ATTORNEY

/s/ Craig M. Wolff
Craig M. Wolff
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2021, I electronically filed this **Government's Response to Defendant's Motion for Release Pending Trial** with the Clerk of Court using the CM/ECF system, which will send notification to the following:

**David Beneman
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